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PATENT
ATTORNEY DOCKET NO.: 056291-5004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

EVANS et al.

Appln. No.: 09/756,291

Filed: January 9, 2001

FOR: FORMULATION

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) Group Art Unit: 1617
)
) Examiner: Hui, San Ming R.
)
)
)
)

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, **Mail Stop AF**
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Date: February 24, 2004

Sir:

**NOTICE OF APPEAL TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated August 27, 2003 of the Primary Examiner finally rejecting claims of the above-identified application.

The item(s) checked below are appropriate:

1. ☒ A timely response to the final rejection was filed on December 29, 2003 and January 30, 2004.
2. ☒ Notice of Appeal Fee is enclosed: \$ 330.00
3. ☒ An extension for 3 months has already been secured and the fee paid therefor of \$950.00 is deducted from the total fee due for the total months of extension now requested.
Extension of time fee due with this request: \$ 0.00
4. ☒ Total Fees Due \$ 330.00

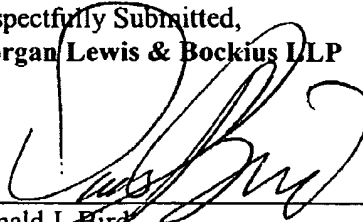
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5. ☒ The Commissioner is hereby authorized to charge \$330.00 to Deposit Account No. 50-0310 for Notice of Appeal Fee.

The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully Submitted,
Morgan Lewis & Bockius LLP



Date: February 24, 2004
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